

VERMONT CRIMINAL JUSTICE TRAINING COUNCIL
JUNE 14, 2016
PITTSFORD, VERMONT
9:00 AM

Members in Attendance

Chief Christopher Brickell, Chair, Vermont Association of Chiefs of Police
Major William Sheets, Vice Chair, Proxy for DPS Commissioner, Vermont State Police
Executive Director Richard Gauthier, Vermont Criminal Justice Training Council
Director William Elovirta, Proxy for Commissioner Robert Ide, Vermont Dept of Motor Vehicles
Joe Damiata, Vermont League of Cities & Town (Public Seat)
John Treadwell, Vermont Attorney General's Office
David Fenster, Vermont State's Attorney & Sheriffs' Office
Heather Simons, Proxy for Commissioner Lisa Menard, Vermont Department of Corrections
Sergeant Thomas Mozzer, Vermont Troopers Association
Gary Moore, Public Seat
George Scribner, Proxy for Colonel Jason Batchelder, Vermont
Department of Fish & Wildlife
Captain Mike Major, Vermont Police Association
Sheriff Steven Benard, Vermont Sheriff's Association

Other Attendance

Jacob Humbert, VT Attorney General's Office
Wesley Lawrence, Hearing Officer for the Council
Bill Bohynak, Vermont Sheriff's Association
Chief George Merkel, Vermont Chiefs of Police
Cindy Taylor-Patch, Vermont Police Academy
John Gonyea, Vermont Police Academy
Gail Williams, Vermont Police Academy
Jenn Firpo, Vermont Police Academy
Glenn Button, Governors Highway Safety
Chief Jennifer Morrison, Colchester Police Dept
John Pfiefer, Chief of the Border Patrol
Sean McVey, Border Patrol
Chief Doug Johnston, Springfield Police Dept
Sheriff Robert Norris, Franklin County Sheriff's Dept
John Flannigan, Vermont State Police
Scott Davidson
Members from Migrant Justice, ACLU, Peace and Justice Center, and Human Rights Commission,
Cara Cookson, Elizabeth Hewitt, Kiah Morris, James Lawton
Mark Hughes from Justice for All (missing from first draft)

Chief Brickell: Called the meeting to order at 9:00.

Approval of Prior Minutes: A motion was made by Gary Moore, second by Steven Benard, to approve the March 8, 2016, meeting minutes. There was no discussion, motion passed.

Decertification: Decertification hearing was held for Officer Brent Garrow from the Pittsford Police Dept. Officer Garrow was not in attendance. Council went into Executive Session and voted unanimously to decertify Officer Garrow. Motion to accept this decision was made by Gary Moore, seconded by Mike Major.

Old Business:

- Polygraph Standards: Director Gauthier reminded the Council of past discussions in regards to the polygraph. He introduced a form used by the Maine Academy, explained the form, and the need to modify it for Vermont usage. Chief Brickell suggested Director Gauthier go ahead and make the modifications. Sheriff Benard suggested informing department heads of the process and why there is the process to eliminate some of the push back.
- Annual Fees: John Gonyea spoke to the Council about the Academy fees. The only changes to the fee schedule is with the meals. All meals will go up \$.50.

Canine Training Report: Accepted as is with no questions.

Committee Reports:

- Use of Force Committee: Accepted as is with not questions.
- Training Advisory Committee: Director Gauthier spoke on behalf of the TAC Committee about the job task analysis and what the Committee felt was appropriate for training in the Basic class vs. what could be taught at an agency level. The TAC Committee is looking at extending the Basic classes to 18 weeks from the current 16 weeks. A few issues with extending the training would be VSP's pre-basic and post-basic would overlap, it would be a greater stretch for agencies to send instructors, and it ties up classroom 3 longer. All aspects are still under consideration. There was discussion on the reasons why the TAC Committee is considering extending the training.

9:55-10:05 break

Executive Directors Report:

- Jenn Firpo was introduced to the Council. Jenn is the new training coordinator for the Domestic Violence position.
- Director Gauthier announced to the Council that Sara Couture has giving her notice and is no longer working at the Academy. Recruitment to fill her position has begun.

Fair & Impartial Policing Model Policy Review: Director Gauthier gave an overview on the Legislative intent of the policy and went over the draft of the policy. There was much discussion on the policy, hopes, and concerns of the policy.

Break for lunch 11:50 – 12:40

Continuation on FIP Policy Review: The Policy was broken down and discussed section by section.

- Definitions – no questions, concerns, comments
- Section I – no questions, concerns, comments
- Section II – no questions, concerns, comments
- Section III - no questions, concerns, comments
- Section IV - no questions, concerns, comments
- Section V – it was agreed to make subsection B an essential component and to also add the sentence “where the only violation of law is that they are present without authorization or proper documentation” to the end, and to add the word “civil” in front of the word immigration in sentences two and three.
 - Motion was made by Gary Moore to accept these changes, and second by Sheriff Benard.
 - Discussion ensued and a motion by Gary Moore to add the word “civil” to sentence two and three in subsection B were agreed upon, motion was second by Sheriff Benard.
- Section VI: add to subsection B, after the word anti-bias “power and privilege”.
 - Motion was made by Dave Fenster to accept this change, second by Gary Moore
- Section VII: no questions, concerns, comments
- Appendix: It was agreed to rename this to Section VIII, to change the name title of this section to “Additional Guidance Regarding Due Process and Immigration Enforcement”, and to remove Section V Subsection E.
 - Motion was made by Dave Fenster to accept these changes, second by Gary MooreSubsection B a, make an essential component.
Subsection B b, make essential components, add the word “civil” in front of the word immigration, and add the last sentence from 4.1 of VSP’s policy.
 - Motion was made by Gary Moore to accept this change, second by Sheriff BenardSubsection C b, remove “there is reasonable suspicion that the person has violated Vermont Laws”, replace it with “all other attempts to identify have failed”, and make an essential component.
 - Motion was made by Director Elovirta to accept these changes, second by Gary MooreSubsection F c, remove the words “restorative justice, diversion or police initiated pre-court programs” and replace with “a pre-charge or police initiated”. Also remove the words in the final sentence “determining duration of detention” and replace with “citation, arrest, or continued custody under Rule 3”.
 - Motion was made by Dave Fenster to accept these changes, second by Gary Moore

Motion to accept policy with the modifications was made by Gary Moore, second by Sheriff Benard.

Impaired Operation Training Coordinator:

- Glenn Button spoke to the council in regards to a grant Governors Highway Safety has agreed to give the Academy for a training coordinator position. This position will oversee the training for DUI, ARIDE, and DRE trainings. Director Gauthier has asked Human Resources to change category of this training coordinator to a 40 hour a weeks limited service position due to the

limitations of the coordinator under the grant. Glenn also mentioned the grant would cover administrative support for the trainings associated with the grant.

- The Council was in support of this position.

Executive Director's Report continued: Level II-E Ratification for Officer William Wager of the Vergennes Police Dept was approved.

Motion to accept this approval was made by Gary Moore, second by John Treadwell.

Motion to adjourn was made by Gary Moore, seconded by John Treadwell.

Meeting adjourned at 3:30.